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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,898	04/07/2000	George H. Peden	004698.P002	2445

7590 11/28/2003

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2157

DATE MAILED: 11/28/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/544,898	PEDEN ET AL.
	Examiner Saleh Najjar	Art Unit 2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 August 2003.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-8 and 10-30 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3,7,8,10,11,17-24,26,29 and 30 is/are rejected.
- 7) Claim(s) 2,4-6,12-16,26 and 27 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \*    c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>10</u> . | 6) <input type="checkbox"/> Other: _____ .                                   |

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1. This action is responsive to the amendment filed on August 28, 2003. Claims 1-8, 10, 15, and 17-30 were amended. Claim 9 was canceled. Claims 1-8, 10-30 are pending.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-3, 7-8, 10-11, 17-24, 26, and 29-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Wesley et al., U.S. Patent No. 6,275,859.

Wesley teaches the invention as claimed including a reliable multicast system where nodes participate using a certificate previously obtained from a central authority (see abstract).

As to claim 1, Wesley teaches a method for accessing a multicast event comprising:

receiving a request for a ticket at a ticket server, said request being from a receiving client, wherein the receiving client is to participate in the multicast event transmitted by a sending client, receipt of said ticket to qualify the receiving client to access a key from a key server, wherein the key is a symmetric key that the sending client uses to encrypt the multicast event and the receiving client uses to decrypt the multicast event, said key to facilitate access to the multicast event by at least one

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receiving client (see figs. 1-2; col. 3-4, Wesley discloses that the client is authenticated by using a certificate and that the certificate is used to gain access to the key);

determining if the client is authorized to receive the key (see col. 4, Wesley discloses that upon requesting a key the client certificate is authenticated);

transmitting the ticket from the ticket server to the receiving client if the receiving client is authorized (see col. 3-5, Wesley discloses that the client is authenticated and granted a certificate).

As to claim 2, Wesley teaches the method of claim 1 above wherein determining if the receiving client is authorized comprises:

accessing database that defines authorized clients; and determining if the receiving client is among the authorized clients defined in the database (see col. 3-4, Wesley discloses that the client credentials are checked against a database).

As to claim 3, Wesley teaches the method of claim 1 further comprising:

accessing a data that defines associations between authorized clients and multicast events; constructing a summary of all multicast events to which the receiving client is associated based on the database; and including the summary in the ticket (see col. 2-3, Wesley discloses that the ticket issued to the client includes a summary of events the client is qualified for).

Claims 7 does not teach or define any new limitations above claims 1-3 and therefore is rejected for similar reasons.

As to claim 8, Wesley teaches the method of claim 7, wherein the key comprises at least one of an initiation time for use of the key, and a lifetime (see col. 4).

As to claim 10, Wesley teaches the method of claim 7 wherein the request comprises an initial request for the event comprises:

receiving the initial request at a particular time during a redetermined period before the multicast event, said particular time randomly generated by the receiving client or sending client (see co. 3-5).

As to claim 11, Wesley teaches the method of claim 7, further comprising:

establishing a secure point to point link between the key server and the receiving client in response to the requests, wherein the key is transmitted over the point to point

link (see col. 4, Wesley discloses that an authentication session is established between the server and client prior to granting the key to the client).

Claims 17-24, 26, and 29-30 do not teach or define any new limitations above claims 1-3, 7-8, 10-11 and therefore are rejected for similar reasons.

4. Claims 4-6, 12-16, 2, and 27-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne, can be reached on (703) 308-7562.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.



Saleh Najjar

Primary Examiner / Art Unit 2157